

PRISON LAW OFFICE
DONALD SPECTER – 83925
SARA NORMAN – 189536
1917 Fifth Street
Berkeley, California 94710-1916
Telephone: (510) 280-2621
Facsimile: (510) 280-2704

BINGHAM McCUTCHEN
WARREN E. GEORGE – 53588
Three Embarcadero Center
San Francisco, California 94111-4066
Telephone: (415) 393-2000
Facsimile: (415) 393-2286

DISABILITY RIGHTS EDUCATION &
DEFENSE FUND, INC.
LINDA KILB – 136101
2212 6th Street
Berkeley, California 94710
Telephone: (510) 644-2555
Facsimile: (510) 841-8645

ROSEN, BIEN & GALVAN, LLP
MICHAEL W. BIEN – 096891
ERNEST GALVAN – 196065
GAY CROSTHWAIT GRUNFELD – 121944
315 Montgomery Street, Tenth Floor
San Francisco, California 94104
Telephone: (415) 433-6830
Facsimile: (415) 433-7104

JONES DAY
CAROLINE MITCHELL – 143124
555 California St., 25th Floor
San Francisco, CA 94104
Telephone: (415) 875-5712
Facsimile: (415) 680-2344

Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

JOHN ARMSTRONG, et al.,
Plaintiffs,
v.
ARNOLD SCHWARZENEGGER, et al.,
Defendants

Case No. C94 2307 CW

**ORDER CONFIRMING UNDISPUTED
CALIFORNIA DEPARTMENT OF
CORRECTIONS AND
REHABILITATION, ADULT
OPERATIONS AND ADULT
PROGRAMS ATTORNEYS' FEES AND
COSTS ON THE FOURTH
QUARTERLY STATEMENT OF 2008**

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

JOHN ARMSTRONG, et al.,

Plaintiffs,

v.

ARNOLD SCHWARZENEGGER, et al.,

Defendants

Case No. C94 2307 CW

ORDER CONFIRMING UNDISPUTED
CALIFORNIA DEPARTMENT OF
CORRECTIONS AND REHABILITATION,
ADULT OPERATIONS AND ADULT
PROGRAMS ATTORNEYS' FEES AND
COSTS ON THE FOURTH QUARTERLY
STATEMENT OF 2008

On March 26, 1997, the District Court established procedures by which plaintiffs are to collect periodic attorneys' fees and costs in this case in connection with their work monitoring defendants' compliance with the Court's Orders and collecting fees.

Pursuant to these procedures, plaintiffs delivered by overnight delivery their Fourth Quarterly Statement for 2008 to defendants on February 11, 2009. Defendants submitted their objections to plaintiffs' statement on March 20, 2009. The parties completed their meet and confer on April 6, 2009, and reached an agreement, as reflected in Exhibit A. Exhibit A also reflects the claimed fees and costs that remain in dispute.

Defendants do not dispute the balance of \$624, 488.67 in fees and expenses for monitoring and fee collection activities in the California Department of Corrections and Rehabilitation, Adult Operations and Adult Programs (hereafter CDCR/AOAP)¹ portion of the case for the Fourth Quarterly Statement for 2008, which will become due and owing forty-five days from the entry of this Order.

The parties agree to the total payment of \$624, 488.67 in undisputed fees and costs for the Fourth Quarter of 2008. Attached hereto as Exhibit A is a chart setting forth the balance due.

IT IS HEREBY ORDERED that plaintiffs' fees and costs of \$624, 488.67, plus interest, are due and collectable as of forty-five days from the date of entry of this Order. Interest on these fees and costs will run from March 14, 2009 accruing at the rate provided by 28 U.S.C. §1961.

IT IS SO ORDERED.



DATED: __4/16/09__

THE HONORABLE CLAUDIA WILKEN
UNITED STATES DISTRICT JUDGE

APPROVED AS TO FORM:

/s/ Jay C. Russell
Jay C. Russell
Deputy Attorney General
Attorney for Defendants

DATED: April 7, 2009

/s/ Gay Crosthwait Grunfeld
Gay Crosthwait Grunfeld
Rosen, Bien & Galvan, LLP
Attorneys for Plaintiffs

DATED: April 6, 2009

¹ The former California Department of Corrections (CDC) was part of a state government reorganization in July 2005, and is now known as California Department of Corrections and Rehabilitation, Adult Operations and Adult Programs (CDCR/AOAP).